

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DATE FILED: 6/25/2021

LG CAPITAL FUNDING, LLC

Plaintiff,

v.

MICROELECTRONICS TECHNOLOGY CO.

Defendant.

Civil Action No.: 1:21-cv-1624(VEC)

~~PROPOSED~~
DEFAULT JUDGMENT

This matter, having been commenced on February 24, 2021 by filing of a Summons and Complaint, the Court finds as follows:

1. Defendant Microelectronics Technology Co. was served on March 18, 2021, and its Answer to the Complaint was due on or before April 8, 2021. Dkt. 7.
2. Defendant failed to Answer, and Plaintiff requested a Certificate of Default from the Clerk of this Court on April 20, 2021, Dkts. 10-12, which was issued on April 21, 2021. Dkt. 13.
3. Defendant is a corporation, and therefor is not a minor, is not incompetent, and is not a member of the military. Kehrli Decl., ¶ 5; Lerman Decl., ¶ 3.
4. On April 23, 2021, Plaintiff moved for Default Judgment by Order to Show Cause, supported by the Declaration of Kevin Kehrli, and exhibits, and the Declaration of Joseph Lerman.
5. Contained in the Complaint and the Declaration of Joseph Lerman are well-pleaded allegations supporting Plaintiff's motion for default judgment on its claim of breach of contract against Defendant.

6. The terms of the Note, as well as the evidence provided in the Declaration of Joseph Lerman, support a finding of damages in the amount of \$269,677.28, as well as daily interest of \$69.52 from April 23, 2021 to the date below.

7. The well-pleaded allegations in the Complaint and the Declaration of Joseph Lerman also support of a finding that Plaintiff is entitled to its costs and attorneys fees incurred in conjunction with this action pursuant to the terms of the notes.

8. In conjunction with Plaintiff's motion, it submitted contemporaneous time records supporting Plaintiff's request for \$3,975.00 in attorneys' fees, on the basis of 15.9 hours of work at a rate of \$250.00 per hour, which the Court finds reasonable both in terms of counsel's rate within this District and time spent prosecuting this matter.

9. Finally, Plaintiff submitted a receipt for service of process showing that \$136.40 was paid to serve the Summons and Complaint of Defendant, and the record shows a filing fee of \$402.00 was paid to commence this action.

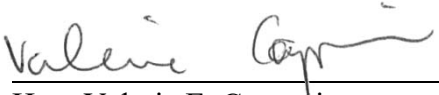
10. On June 25, 2021, the Court held a Show Cause Hearing, at which Defendant failed to appear.

THEREFORE, it is ORDERED, ADJUDGED, and DECREED: That the Court enter default judgment against Defendant:

- i. For damages in the amount of \$274,057.12
- ii. Continuing interest in the amount of \$69.52 per day, totaling ___, from June 26, 2021 to date of entry of judgment;
- iii. For attorneys' fees in the amount of \$3,975.00; and,
- iv. For costs in the amount of \$538.40;

DATED: New York, New York
June 25, 2021

ENTER:



Hon. Valerie E. Caproni
United States District Court